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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MORRISON & FOERSTER LLP 1650 TYSONS BOULEVARD SUITE 300 MCLEAN, VA 22102				
			EXAMINER MEHRA, INDER P	
			ART UNIT 2666	PAPER NUMBER

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/069,787	Applicant(s) FREYENBERG, CHRISTIAN	
	Examiner Inder P. Mehra	Art Unit 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/28/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to application dated: 2/28/02. Claims 1-9.

Abstract

2. Abstract is missing. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Appropriate action be taken to provide the abstract.

Specification

3. The disclosure is objected to because of the following informalities:

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Refer to page 7 line 26. What is “SO” bus?

Refer to page 8 lines 22 and 26. Device 13 and information 13 use the same numeral, resulting into confusion. Claim 6 recites “messages” 13. Claim 6 recites device in line 6 with no number.

Appropriate correction is required.

Claim Objections

4. Claims 1-5 are objected to because of the following informalities:

In claim 1, line 3, change “signaling information” to “the signaling information”, it lacks antecedent basis. Similar problem exists in claim 6 line 7.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 line 14 recites the limitation "the telecommunication services" in line 10. There is no antecedent basis for this limitation in the claim.

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Claim 2 recites the limitation "the ISDN D channel protocol" and "the ISDN services in lines 4 and 14 respectively. There is no antecedent basis for these limitations in the claim.

Similar problem exists in claims 7 and 9 line 4..

Claim 6 recites the limitation "the telecommunication server or servers"" in line 12.

There is no antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the internet" in line 17. There is no antecedent basis for this limitation in the claim.

Claims 4 and 5 are objected to under 37 CFR 1.75(c) as being in improper form because multiple dependent claims 4 and 5 reference Back to Another Multiple Dependent Claim. See MPEP § 608.01(n). Accordingly, the claims 4 and 5 have not been further treated on the merits.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-2, and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by **Ahuja et al** (US Patent No. 6,222,837), hereinafter, Ahuja.

For claim 1, Ahuja discloses, with reference to fig. 1, A method for processing signaling information (col. 2 lines 65-67) in a telecommunications network (ISDN), with a switching center (5) (central office switch 105) interchanging signaling information (col. 2 lines 65-67 with

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a subscriber terminal (10) (terminal equipment 101), with the signaling information (col. 2 lines 65-67) being converted in the switching center (5) (central office switch 105) at least one message (user data as well as signaling information, col. 2 line 65) which is transmitted to at least one telecommunications service server (access server 103) which is connected to the switching center (105) and with the telecommunications service server or servers (9) (access server 103) carrying out the telecommunications services corresponding to the messages characterized in that the message is transmitted the Internet 113 to an Internet server (access server 103) , as the telecommunications service Server.

For claim 6, Ahuja discloses An apparatus for processing signaling information in telecommunications network, , (ISDN, fig. 1), with a controller (line unit 111 and packet switch 109) being provided for transmitting, receiving and processing the signaling information (col. 3 lines 40-46) and being connected to a server(8) (access server 103) in a switching center (5) (central office switch 105), with the controller (7) having a device for converting received signaling information (line unit 111 and packet switch 109), which relates at least to one telecommunications service, into messages (13) (refer to col. 3 lines 30-38, and col. 3 lines 40-46) and having an interface (12) for connecting at least one telecommunications service server (9) (access server 103) to the switching center (5) (central office switch 105), with the telecommunications service server or servers (9) (access server 103) being intended for carrying out the telecommunications service or services characterized in that the telecommunications service server or servers or are (an) Internet (113) server or servers (access server 103), which is or are connected to the Internet (113).

For claim 2, Ahuja discloses The method as claimed in claim 1,
characterized in that

the signaling information is control information for the ISDN D channel protocol, and the control information is interchanged via a D channel (2) (col. 2 lines 60-65) between the subscriber terminal (10) (Terminal equipment 101) and the switching center (central office switch 105) with the control information having ISDN service information for at least one ISDN service, which information is converted in the switching center (5) into messages and is transmitted to at least one ISDN D channel server (9) which is connected to the switching center (5) and corresponds to the telecommunications service server, and with the ISDN D channel server or servers (9) carrying out the ISDN service or services corresponding to the messages, (refer to col. 2 lines 50-67).

For claim 7, Ahuja discloses the apparatus as claimed in claim 6, as above, characterized in that

- the signaling information is control information for the ISDN channel protocol (col. 2 lines 65-67), and the controller (line unit 105 and packet switch 109) transmits and receives control information via a D channel with the interface (12) being used for connecting at least one ISDN D channel server (9) as telecommunications service server, (refer to col. 3 lines 30-46).

For claim 8, Ahuja discloses the apparatus , refer to fig. 1, as claimed in claims 6 or 7, as

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above, characterized in that

- the telecommunications service server servers (access server 103) has have an interface for connection the switching center (5) (central office switch 105), with the interface receiving messages from the switching center (5) and calling telecommunications services, which correspond to the messages, on the telecommunications service server or servers (9), refer to col. 3 lines 1-5.

For claim 9, Ahuja discloses the apparatus as claimed in claim characterized in that

- the ISDN D channel , (col. 2 lines 64-67), server or servers (9) (access server 103, carries out or carry out the ISDN services corresponding to the control information. (col. 2 lines 64-67 and col. 3 lines 1-5),

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahuja**, as above, in view of **Zinda et al** (US Patent No. 6,393,437), hereinafter, Zinda.

For claim 3, Ahuja discloses all the limitations of subject matter with the exception of the following limitations, which are disclosed by Zinda, as follows:

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- the telecommunications service server or servers each has or have a large number of program routines for carrying out number of telecommunications services, with the program routines being written relatively high level programming language, refer to col. 4 line 65 through col. 5 line 5.

It would have been obvious to the person of ordinary skill in the art at the time the invention to use the capability of program routines being written relatively high level programming language, as taught by Zinda . The capability can be implemented in server. The motivation for doing so is to provide various features of large files.

Prior Art of Record

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- **Baniak et al** (US Patent Application No. 2001/0048738) discloses a profile management system providing for accessing and maintaining data associated with a telecommunication service subscribed to by a user.
- **Vilaim** (US Patent No. 5,461,669) discloses a telecommunication network in which call control and connection control are separated.

Conclusion


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 11/30/05
Inder P Mehra
Examiner
Art Unit 2666



ENCLOSURE
11/30/05